

RESOLUTION NO. 2018- 19 -CM
RESOLUTION TO TRANSFER REAL ESTATE LOCATED IN THE COUNTY OF
TIPPECANOE, STATE OF INDIANA FROM THE TIPPECANOE COUNTY BOARD
OF COMMISSIONERS TO THE TOWN OF BATTLE GROUND

WHEREAS, three stretches of road (the “Roads”) which abut subdivisions previously annexed by the Town of Battle Ground, Indiana (the “Town”) were not also annexed and remain under the jurisdiction of Tippecanoe County, Indiana (the “County”);

WHEREAS, the Roads are located along Prophet’s Rock Road as it turns into Prophet Street at Burnett Creek near 300 East, along 600 North near the Quail Ridge subdivision, and along Prophet’s Rock Road northeast of the Prophet’s Rock subdivision;

WHEREAS, the Roads are more accurately described on the exhibit hereto, which is a copy of the Quit Claim Deed in substantially the form as will be used to authorize transfer of the Real Estate;

WHEREAS, the County, to simplify maintenance of the Roads, has agreed to transfer the Roads to the Town via quitclaim deed.

WHEREAS, the Town has agreed to accept transfer and ownership of the Roads;

NOW THEREFORE THE FOLLOWING IS ADOPTED:

1. Incorporation of Recitals. The above recitals are fully incorporated into this Resolution.
2. Purpose. The purpose of this Resolution is for the Town to accept transfer and ownership of the Roads from the County for the purpose of simplifying maintenance of the Roads. There is a benefit to the public for the Town to accept transfer and ownership of the Roads from the County as it will protect the safety of the community by ensuring that the Roads are uniformly maintained in accordance with the other adjoining stretches of road already annexed by the Town.
3. Duration. The Town’s ownership and obligation to maintain the Roads shall be permanent and continue indefinitely or until the Roads are properly transferred by and at the discretion of the Town.
4. Financing and Administration of the Roads. The costs associated with owning and maintaining the Roads shall be borne by the Town. In accordance with its ownership of the Roads, all administration of the Roads shall be done by the Town.
5. The Town of Battle Ground has passed or will pass a Resolution in substantially the same form as this Resolution and in accordance with the intent and purpose of this Resolution.
6. The Town shall cause the transfer of ownership of the Roads to be recorded in the

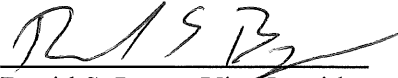
Miscellaneous Records of the Tippecanoe County Recorder's Office.

Duly adopted this 18th day of June, 2018.

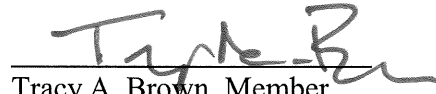
BOARD OF COMMISSIONERS OF
TIPPECANOE COUNTY



Thomas P. Murtaugh, President



David S. Byers, Vice President



Tracy A. Brown, Member

ATTEST:


Robert Plantenga, Auditor of Tippecanoe County

Mail Tax Bills to:
Town of Battle Ground
PO Box 303
Battle Ground, Indiana 47920

Project: CR 600 N & Prophet's Rock Road

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, That **Tippecanoe County, Indiana, by its Board of Commissioners**, the Grantor, Release and Quitclaim to the Town of Battle Ground, Indiana, for good and sufficient consideration certain Real Estate situated in the County of Tippecanoe, State of Indiana, and being more particularly described below and attached hereto as Exhibit "A" which exhibits are incorporated herein by reference:

1. CR 600N pavement and right-of-way starting at the center intersection of St. Rd. 43 N & County Road 600 N. traveling East along County Road 600N approximately 1,313' to the Point of Beginning of this section and continuing East along County Road 600N a distance of approximately 445.5' to include the entire width of Road Right-of-Way.
2. Prophets Rock Road pavement and right-of-way starting on Prophets Rock Road at the Southern Right-of-Way of County Road 600N, continuing in a Northeasterly direction along the center of Prophets Rock Road, approximately 415.5' to the Battle Ground Town Limit Line to include the entire width of Road Right-of-Way. Along with a section of Prophets Rock Road starting at the West end of Bridge #505 over Burnett's Creek and continuing in a Southwesterly direction along the center of Prophets Rock Rd., approx 876.6' to the Battle Ground Town Limit Line to include the entire width of Road Right-of-Way.

This conveyance is made as a grant by Tippecanoe County for valuable consideration, to wit: the assumption of maintenance responsibilities for the roads by the Town of Battle Ground. This conveyance is subject to any and all easements, conditions and restrictions of record.

The Grantor hereby specifically acknowledges and agrees that the Real Estate herein is released and quitclaimed. This acknowledgement and agreement is a covenant running with the land and shall be binding upon the Grantors and all successors and assigns.

Thomas P. Murtaugh, executing this deed on behalf of the Tippecanoe County Board of Commissioners, represents and certifies that he is the President of the Tippecanoe County Board of Commissioners and has been fully empowered to execute and deliver this deed on behalf of the Board.

IN WITNESS WHEREOF, Thomas P. Murtaugh, President of the Tippecanoe County Board of Commissioners has caused this deed to be executed this 18th day of June, 2018.

Tippecanoe County Board of Commissioners

By: [Signature]
Thomas P. Murtaugh, President of the Board

STATE OF INDIANA)
) SS:
COUNTY OF TIPPECANOE _____)



Before me, a Notary Public in and for said County and State, personally appeared Thomas P. Murtaugh, who acknowledged execution of the foregoing Deed for and on behalf of said Grantor, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 18 day of JUNE, 2018.

My commission expires: Sept. 26, 2018 Signature [Signature]

Printed: Michelle Richardson
Notary Public

Resident of Tippecanoe County

Interests in land acquired by
Town of Battle Ground
Grantee mailing address:
PO Box 303, Battle Ground, Indiana 47920

The above Quitclaim Deed is accepted this ____ day of _____, 2018.

TOWN OF BATTLE GROUND, INDIANA

By: Steve Egly, President

This instrument prepared by Douglas J. Masson, #19474-53 Hoffman, Luhman & Masson, PC
200 Ferry Street, Suite C, Box 99 Lafayette, IN 47902 Telephone (765) 423-5404

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social
Security Number in this document, unless required by law. /s/ *Douglas J. Masson*

Tippecanoe County Town of Battle Ground

EXHIBIT A

